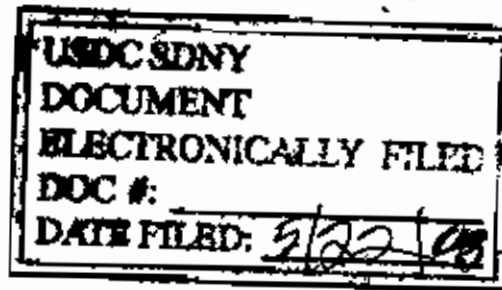


Buchwald, J

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DUPLICATE
ORIGINAL



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIGNATURE BANK,

Plaintiff,

- against -

AHAVA FOOD CORP. d/b/a NORTH COUNTRY
CHEESE CORP., LEWIS COUNTY DAIRY CORP.,
ST. LAWRENCE FOOD CORP. d/b/a PRIMO
FOODS, YONI REALTY, LLC, SCHWARTZ AND
SONS QUALITY DISTRIBUTORS, INC., MOISE
BANAYAN, ANA BANAYAN a/k/a CHANA
BANAYAN, REBECCA BANAYAN a/k/a
REBECCA BARIMYAN a/k/a REBECCA
BANAYAN-LIEBERMAN, FARIBORZ BANAYAN
a/k/a AARON BANAYAN, RUBEN BEITYAKOV,
ARI KATZ, AHAVA OF CALIFORNIA, LLC d/b/a
AHAVA NATIONAL FOOD DISTRIBUTOR and
NORTH COUNTRY MANUFACTURING, and
JOHN DOES 1 through 50,

Defendants.

08 Civ. 3893

ORDER TO SHOW CAUSE

Upon the Declaration of Robert Bloch, executed May 7, 2008, the Declaration of John Oleske, executed May 8, 2008, the Declaration of Mara B. Levin, executed May 8, 2008, and the exhibits annexed to all such Declarations, all submitted on behalf of plaintiff Signature Bank, defendants Ahava Food Corp. d/b/a North Country Cheese Corp. ("AFC"), Lewis County

Dairy Corp. ("Lewis County"), St. Lawrence Food Corp. d/b/a Primo Foods (St. Lawrence"), Yoni Realty, LLC ("Yoni"), Schwartz and Sons Quality Distributors, Inc. ("S&S"), Ana Banayan a/k/a Chana Banayan ("AB") (AFC, Lewis County, St. Lawrence, Yoni and AB, being collectively referred to herein as the "Judgment Debtors"), and Ahava of California, LLC d/b/a Ahava National Food Distributor and North Country Manufacturing ("AOC") is hereby:

ORDERED to show cause before this Court at the United States District Court, 500 Pearl Street, New York, New York 10007, in Courtroom 21A on ^{June} ~~May~~ 4, 2008 at 9:30 o'clock in the ~~fore~~ noon, or as soon thereafter as the parties can be heard, why an order should not be entered pursuant to Rules 65 and 66 of the Federal Rules of Civil Procedure:

- 1) Enjoining and restraining AOC from transferring, conveying, or otherwise dissipating any assets in its possession, custody, or control to any person or entity, except for payments and shipments made in the ordinary course of business;
- 2) Extending the Temporary Restraining Orders issued by the Judge Helen Freedman of the New York State Supreme Court, dated April 4, 2008 and April 24, 2008;
- 3) Appointing a temporary receiver over all assets in the possession, custody or control of AOC, with said receiver having the power to marshal, conserve, hold, and manage the assets of AOC, and with full power to take such steps as he or she deems necessary to inventory and secure such assets including, but not limited to, obtaining an accounting of the assets and preventing transfer, withdrawal, concealment, dissipation, or misapplication of assets; and
- 3) Awarding such other and further relief as the Court deems just and proper.

ORDERED, that pending a hearing on plaintiff's application, the temporary restraining orders entered by the state court in this action on April 4, 2008 and April 24, 2008 are hereby extended as against AOC and the Judgment Debtors.

~~IT IS THE ORDER OF THE COURT THAT SERVICE~~
~~Be Post 10 By 2008~~
 ORDERED, that service of a copy of this Order to Show Cause, together with a copy of the papers upon which this Order is based, by overnight mail upon counsel for AOC, Lawrence Fox, Esq., Kornstein Veisz Wexler & Pollard, LLP 757 Third Avenue New York, New York 10017-2013 and Robert W. Hirsh & Associates, 8383 Wilshire Blvd, Suite 510, Beverly Hills, California 90211, counsel for the Judgment Debtors, David Antonucci, Esq., 12 Public Square, Watertown, New York 13601, Rebecca Banayan at 2606 East 24th Street, Brooklyn, New York 11235, 205 Third Avenue, Apt. 2N, New York, New York 10003 and 215 East 96th Street, Apt. 40H, New York, New York 10128, Fariborz Banayan at 908 Rose Avenue, Venice, California 90291 and 110 Beard Street, Brooklyn, New York 11231, Ruben Beityakov at 1977 East 22nd Street, Brooklyn, New York 11229, Ari Katz at 110 Beard Street, Brooklyn, New York 11231, on or before May 9, 2008, be deemed good and sufficient service.

ORDERED, that answering papers, if any, shall be served by AOC by overnight mail upon counsel for plaintiff Signature Bank, Mara B. Levin, Esq., Herrick, Feinstein LLP, 22 Park Avenue, New York, New York 10016, on or before May 10, 2008 by 5 p.m. in and hand and in hand to chambers at.

it is further ordered that reply papers shall be served by

DRS: NYC, NY

May 9, 2008

Ramona L. Pomeroy
 U.S.D.J.

✓ ISSUED: 1:50 p.m.

Signature Bank in chambers
 and upon counsel and the judgment debtors by 5 p.m. on May 29, 2008.